

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1638 be amended to read as follows:

- 1 Page 31, between lines 22 and 23, begin a new paragraph and
- 2 insert:
- 3 "SECTION 38. IC 7.1-3-21-11 IS AMENDED TO READ AS
- 4 FOLLOWS: Sec. 11. (a) As used in this section, "wall" means a wall
- 5 of a building. The term does not include a boundary wall.
- 6 (b) Except as provided in subsection (c), the commission shall not
- 7 issue a permit for a premises if a wall of the premises is situated within
- 8 two hundred (200) feet from a wall of a school or church, if no permit
- 9 has been issued for the premises under the provisions of Acts 1933,
- 10 Chapter 80.
- 11 (c) This subsection applies to a county having a population of
- 12 more than one hundred eight thousand nine hundred fifty (108,950) but
- 13 less than one hundred twelve thousand ~~(112,000)~~ **(112,000) and a**
- 14 **county having a population of more than seventy-five thousand**
- 15 **(75,000) but less than seventy-eight (78,000).** The commission shall
- 16 not issue a permit for a premises if a wall of the premises is situated
- 17 within two hundred (200) feet from a wall of a school or church unless:
- 18 (1) the permit is a beer dealer or wine dealer permit for a grocery
- 19 store **or a beer, wine and liquor dealer permit for a drug**
- 20 **store;**
- 21 (2) the main entrance of the grocery store **or drug store** and the
- 22 main entrance of the school or church face different streets or
- 23 roads;
- 24 (3) there is a physical barrier between the grocery store **or drug**
- 25 **store** and the school or church that prevents a person from
- 26 moving between the two (2) properties; and
- 27 (4) a wall of the grocery store **or drug store** is not situated

- 1 within one hundred (100) feet from a wall of the school or
- 2 church."
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB1638 as printed February 16, 2001.)

Representative WHETSTONE